REMARKS/ARGUMENTS

Claims 1-21 are in the case. The applicants have studied the Office Action mailed February 27, 2007 and believe the application is in condition for allowance. Reconsideration and reexamination are respectfully requested.

The Examiner has rejected the claims as obvious under 35 U.S.C. §103 by the Downs et al reference, U.S. Pat. No. 6,226,618 in view of the Kenner reference, U.S. Pat. No. 6,314,565. This rejection is respectfully traversed.

Claim 8, for example, is directed to a "method of installing an application program for execution on a data processing system" comprising *inter alia* "defining a user configuration of the application program installation corresponding to a particular user of the application program; encrypting and storing the user application program installation configuration in a manifest file; determining that the stored user application program installation configuration corresponds to the particular user; authenticating the particular user in response to the particular user requesting the application program; decrypting the manifest file in response to the user authentication; and building the application program in a configuration customized to conform to the user application program installation configuration decrypted from the manifest file." The Examiner has conceded that the Downs reference fails to disclose "defining a user configuration of the application program installation corresponding to a particular user of the application program" as required by claim 8. Instead, it is the Examiner's position that the Kenner reference "discloses acquiring software for a users terminal and updating based on user's configuration (4:30-35)." The applicants respectfully disagree.

The Examiner's citation to the Kenner reference discusses sending "necessary user information to the software component provider's server." Kenner, col. 4, lines 30 et seq. However, it is respectfully submitted that the Examiner's citation to the Kenner reference fails to teach, suggest or make obvious either "defining a user configuration of the application program installation corresponding to a particular user of the application program" or "building the

application program in a configuration customized to conform to the user application program installation configuration decrypted from the manifest file" as required by claim 8. Instead, it appears that the user information (namely, the user's "name, e-mail address, postal address, telephone number, and other information for the code provider's records" (Kenner, col. 7, lines 60 et seq.)) is sent to the codec provider merely to permit a codec to be downloaded (Kenner, col. 8, lines 1 et seq.). The Examiner has cited no portion of the Kenner reference that in any manner teaches or suggests building the downloaded codec or other program in a configuration customized to conform to the user's "name, e-mail address, postal address, telephone number, and other information for the code provider's records." It is therefore respectfully submitted that the deficiencies of the Downs reference are not met by the Examiner's citations to the Kenner reference.

With respect to the Downs reference, it is the Examiner's position that the Downs reference teaches "encrypting and storing the user application program installation configuration in a manifest file" citing column 80, lines 29-31 of the Downs reference. However, it is clear that the Examiner's citation discusses an encryption capability of the Helper application 198 used in processing Order and License SCs, not for installing the Helper application 198 itself. Moreoever, since the Examiner has conceded that the Downs reference fails to disclose "defining a user configuration of the application program installation corresponding to a particular user of the application program" as required by claim 8, it is clear that the Downs reference cannot teach or suggest "encrypting and storing the user application program installation configuration in a manifest file" as required by claim 8.

It is the Examiner's position that the Downs reference teaches "determining that the stored user application program installation configuration corresponds to the particular user" citing column 79, lines 32-41 of the Downs reference. However, it is clear that the Examiner's citation discusses the Helper application 198 processing SCs and adding Content 113 to the Digital Content Library 196 of the End User. Again, the Examiner has not cited any teaching or

suggestion that the "downloadable Content 113" of the Downs reference is in any manner configured for a particular user pursuant to a user application program installation configuration decrypted from a manifest file and defined for a particular user. With respect to the Helper application 198, the Helper application is of course already installed so that it can perform the indicated SC processing and Content 113 adding. Thus, it is clear that the Examination's citation to the Down reference does not teach or suggest "determining that the stored user application program installation configuration corresponds to the particular user." Moreoever, since the Examiner has conceded that the Downs reference fails to disclose "defining a user configuration of the application program installation corresponding to a particular user of the application program" as required by claim 8, it is clear that the Downs reference cannot teach or suggest "determining that the stored user application program installation configuration corresponds to the particular user" as required by claim 8.

The remaining "authenticating" and "decrypting" recitations of claim 8 are similarly not met by the Examiner's citations to the Downs reference. These citations appear to be directed to various portions of the method of processing the SCs and adding Content 113. They do not appear to be related to the installation of the Helper application 198. Instead, it is believed that the Helper application 198 is to be installed before any SCs may be processed or Content 113 added. Conversely, the Examiner has not cited any teaching or suggestion that the "downloadable Content 113" of the Downs reference is in any manner configured for a particular user pursuant to a user application program installation configuration decrypted from a manifest file and defined for a particular user.

Independent claims 1 and 15 may be distinguished in a similar fashion. Claims 2-7, 9-14 and 16-21 depend either directly or indirectly from claims 1, 8 or 15. Accordingly, the rejection of these claims is improper for the reasons given above. Moreover, claims 2-7, 9-14 and 16-21

include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-21 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0460.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

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